

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Case No. 14-cr-105-1-SM
Opinion No. 2020 DNH 215

Douglas Ellison

ORDER

This is defendant's second motion for compassionate release (18 U.S.C. § 3582(a)(1)(A)), the first having been denied on September 15, 2020. While the incidence of COVID-19 virus is increasing in the state, and in the New Hampshire State Prison, the prison remains aggressive and attentive in seeking to limit its spread. Certainly, the changes are not so dramatic as to warrant dramatic relief in this case. Defendant, as noted earlier, has a history of recidivism (Criminal History Category VI, and a career offender), has served just over half of a 10-year sentence, and failed to meet his burden to demonstrate that he no longer poses a danger to the safety of the community.

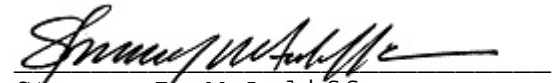
The government again concedes that defendant's medical conditions qualify him for compassionate release, and again argues that the danger he poses to the community, as well as the sentencing considerations described in 18 U.S.C. § 3553(a),

militate against early release. Nothing in the defendant's pending motion substantially alters the analysis in the September 15th order, and for that reason this motion, too, is necessarily denied.

Conclusion

For the reasons given previously in the court's September 15, 2020, order, and for the reasons given in the government's memorandum in opposition, the motion for compassionate release (document no. 66) is denied.

SO ORDERED.


Steven J. McAuliffe
United States District Judge

December 10, 2020

cc: Jennifer C. Davis, AUSA
Dorothy E. Graham, Esq.
U.S. Probation
U.S. Marshal